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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,512	10/15/2003	Thomas M. Pillow	PILL.0003	6733

38327 7590 07/14/2005

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EXAMINER

MEISLIN, DEBRA S

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/684,512

Applicant(s)

PILLOW, THOMAS M.

Examiner

Debra S. Meislin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

1. The drawings were received on May 18, 2005. These drawings are not acceptable (and must be further amended) for the following reasons:

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "bearings arranged in the first and second housings to be easily removable" must be shown or the feature(s) canceled from the claim(s). The removability of the bearings must be shown in the drawings. The drawings do not include a clear structural cooperation between the bearings and the housings that allow for the removal of the bearings. In other words, how are the bearings removably attached to the housings? Note that figure 2 merely shows the bearings in phantom. Figures 3-1, 3-3 and 3-7 (in addition to figures 4-1, 4-2, 4-3 and 6) fail to show the bearings at all. Figures 3-2, 3-4 and 3-6 appear to show the bearings by themselves.

Since applicant is relying heavily on the removability of the elements for patentability, then the structure that allows such removability must be shown. Additionally, exploded views of figures 4-1, 4-2 and 4-3, that includes all of the elements claimed (e.g., the threaded locking tubular piece at a side of the housing and the bearings) must be shown. Also, the threaded connections between the elements of 4-1, 4-2 and 4-3 are not clear. Figures 4-1, 4-2 and 4-3 do not appear to be correctly drawn.

The drawings must show a straight extension connected to either or both of the housings as set forth in claim 13. Applicant is cautioned against the inclusion of new matter.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. No new matter should be entered.

2. The amendment filed May 18, 2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: figure 6; the amendment to page 5, second full paragraph; and the amendment following page 4, 7th full paragraph.

Applicant is required to cancel the new matter in the reply to this Office Action.

3. Claims 2-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The structure which provides removability of the bearings is not clear in view of the specification and drawings. The structure and use of the "at least one straight extension" is not understood in view of the originally filed specification and drawings.

4. Claims 2-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, "the threaded locking ring" lacks antecedent basis.

In claims 3, 7 and 16 (and the corresponding lines of claims 7 and 16), lines 4 and 9 (and the corresponding lines of claims 7 and 16), “a first shaft *going via* the first beveled gear” and “a second shaft *going via* the second beveled gear” are not understood and appear to be grammatically incorrect. Line 16 (and the corresponding lines of claims 7 and 16) appears to be misdescriptive. It is not clear as to how the first beveled gear, in line 16 (and the corresponding lines of claims 7 and 16), can be positioned at another end of the first shaft if line 4 (and the corresponding lines of claims 7 and 16) defines the first bevel gear as engaged at one end of the first shaft.

Claim 10 is redundant in view of claim 3 on which it depends.

Claim 13 is not understood in view of the original disclosure. Note that the drawings do not appear to disclose “extensions” connected to one or both of the housings.

The scope of claims 14 and 17 is not understood. Since the driving tool is not a part of the claimed device, the recitation of the type of driving tool that may be used does not further limit the claims. Consequently, claims 14 and 17 appear to be redundant in view of claims 3 and 16, respectively, on which it depends.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 2-6, 10, and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lampke.

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke in view of Lasko.

Lampke discloses all of the claimed subject matter except for having threaded shaft ends. Lasko discloses threaded shaft ends. It would have been obvious to one having ordinary skill in the art to form the shaft ends of Lampke as threaded to enable the engagement of a threaded driven or driven tool and as such is an obvious mechanical equivalent as taught by Lasko.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke in view of Frenkel.

Lampke discloses all of the claimed subject matter except for having a press-lock driving tool shaft end. Lampke discloses a press-lock driven tool connection "33". Frenkel discloses a press-lock driving tool shaft end connection "48, 50, 52". It would have been obvious to one having ordinary skill in the art to form the connection between the driving tool and the shaft end of Lampke as a press-lock connection for ease of connection and release as taught by Frenkel.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke in view of Klopper.

Lampke discloses all of the claimed subject matter except for having an extension. Kloppe discloses an extension (2', 3) attached to a housing (1). It would have been obvious to one having ordinary skill in the art to form the device of Lampke with an extension to extend the housing to enable the use of the tool in awkward places as taught by Kloppe.

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke.

The examiner takes Official Notice that the use of "sealed" bearing is notoriously old and well known in the art to provide for longevity of the bearings. Consequently, it would have been obvious to one having ordinary skill in the art to form the bearings of Lampke as sealed for their known properties as such is notoriously old and well known in the art.

12. Applicant's arguments filed May 18, 2005 have been fully considered but they are not persuasive.

Applicant's status of the claims appears to be incorrect. Claims 2-17 are pending.

Lampke discloses shafts and bearings that are easily removable by unscrewing the tubular piece from the internal threads. Note column 2, lines 37-39 which states that the drive shaft is removably inserted with the a spline driving connection into the bevel gear. Since the drive shaft is removable from the bevel gear and since the plates "25" are removable, the bevel gears, the drive shafts and the bearings may be removed.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

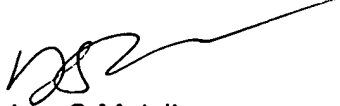
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra S. Meislin whose telephone number is 571 272-4487. The examiner can normally be reached on M-F, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272 4485. The fax phone number for the organization where this application or proceeding is assigned is 571 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Debra S Meislin
Primary Examiner
Art Unit 3723

July 07, 2005